

REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

At the outset, the undersigned expresses appreciation to Examiner Garrett for her time and attention during the interview that was conducted at the U.S. Patent and Trademark Office on August 2, 2006. The remarks below discuss the substance of the interview.

The claims currently pending in this application are Claims 2, 4-8 and 12-20. Claims 2, 12 and 13 are the only independent claims.

The claims in this application are directed to several embodiments of a vehicle seat assembly. As discussed during the interview, the vehicle seat assembly recited in Claim 12 comprises a seatback, a seat cushion, a link mechanism supporting seat cushion, a motor-operated drive unit, and a control unit for operating the motor-operated drive unit. The motor-operated drive unit drives the link mechanism and moves the seat cushion between a seating position and a stowed position, wherein when the seat cushion is moved between the seating position and the stowed position, support of the seat cushion is maintained by operation of the link mechanism and the drive unit. The drive unit includes a first drive unit that moves the seat cushion and a second drive unit that moves the seatback, with the first drive unit and the second drive unit operating in association with each other for simultaneously operating the seat cushion and the seatback.

The Official Action sets forth a rejection of independent Claim 12 based on the disclosure in U.S. Patent No. 6,070,934 to Schaefer *et al.* in view of the disclosures

in U.S. Patent No. 6,464,297 to *Garrido et al.* and U.S. Patent No. 5,597,205 to *Glance et al.*

As was explained during the interview, *Schaefer et al.* describes a folding seat apparatus that includes a seat back frame 24 and a seat bottom frame 34. The seat is adapted to be folded from the upright position shown in Fig. 4 to the folded position shown in Fig. 6. The seat bottom frame 34 is supported on the floor 21 by a pair of front legs 44 (only one of which is shown in Figs. 4-6). In addition, the seat back frame 24 is provided with a pair of slider pins 57 that each slidably engage a slot 54 provided in respective links 50 (only one of which is shown in Figs. 4-6). The end of each link 50 is pivotably connected to the end of a floor mounted bracket. As discussed beginning in line 26 of column 3 of *Schaefer et al.*, the seat is rotated from the upright seating position shown in Fig. 4 to the folded position illustrated in Fig. 6 by first operating the release lever 40 to disengage the release lever 40 from a striker 42. This unlocks the seat back frame 24 from the upright position and allows the seat to be moved to the folded position. Once the seat back frame 24 is unlocked, the operator applies a force in the forward direction to the seat back frame 24 to thus rotate the seat back frame 24 in a forward and downward direction. This causes the slider pins 57 to slide along the slots 54 in the respective links 50, thus causing the seat bottom frame 34 to rotate about the bottom end 48 of the front leg 44. Continued application of force to the seat back frame 24 results in the seat ultimately reaching the folded position illustrated in Fig. 6.

As pointed out during the interview, it is apparent from a reading of the disclosure in *Schaefer et al.* that the disclosed seat is specifically adapted to be folded from the upright position shown in Fig. 4 by simply pushing the seat back

frame 24 in the forward direction, thus causing both the seat back frame 24 and the seat bottom frame 34 to move to the folded position shown in Fig. 6. In contrast, Claim 12 recites that the drive unit includes the first drive unit moving the seat cushion and the second drive unit moving the seatback, with the first and second drive units operating in association with each other for simultaneously operating the seat cushion and the seatback.

As explained during the interview, it would not have been obvious to one of ordinary skill in the art to modify the seat apparatus disclosed in *Schaefer et al.* to include a first drive unit that moves the seat bottom frame 34 and a second drive unit that moves the seat back frame 24 based on the *Garrido et al.* disclosure. Because the seat disclosed in *Schaefer et al.* is specifically constructed so that the application of a force to the seat back frame 24 automatically results in movement of both the seat back frame 24 and the seat bottom frame 34, there would have been no reason for one of ordinary skill in the art to apply two motors to the *Schaefer et al.* seat apparatus. Indeed, outfitting the *Schaefer et al.* seat apparatus with two motors, one which moves the seat cushion frame 34 and the other which moves the seat back frame 24, would have been contrary to *Schaefer et al.*'s disclosure of configuring the seat so that a force applied to the seat back frame 24 automatically moves both the seat back frame 24 and the seat bottom frame 34. Upon considering this argument, Examiner Garrett indicated that the rejection of independent Claim 12 based on the combined disclosures in *Schaefer et al.*, *Garrido et al.* and *Glance et al.* is not appropriate and would be withdrawn.

Independent Claim 13 recites that the vehicle seat assembly comprises a seatback, a seat cushion, a link mechanism supporting the seat cushion and a

motor-operated drive unit that drives the link mechanism and moves the seat cushion between a seating position and a stowed position, wherein when the seat cushion is moved between the seating position and the stowed position, the support of the seat cushion is maintained by operation of the link mechanism and the drive unit. Claim 13 further recites that the link mechanism comprises a four-link mechanism and includes a first link mechanism from moving the seat cushion and a second link mechanism for simultaneously moving the first link mechanism and the seatback.

The Official Action notes *Garrido et al.*'s disclosure of one or more motors in a vehicle seat, and observes that such disclosure suggests utilizing a motor in connection with the seat apparatus disclosed in *Schaefer et al.* However, as explained during the interview, Claim 13 sets forth that the motor-operated drive unit drives the link mechanism and moves the seat cushion between the seating position and the stowed position. The nature of the seat apparatus disclosed in *Schaefer et al.* is such that one would not apply a motor-operated drive unit that moves the seat bottom frame 34 between a seating position and a stowed position. That is, one would not outfit *Schaefer et al.*'s seat apparatus with a motor-operated drive unit that moves the seat bottom frame 34 between the seating position shown in Fig. 4 and the folded position shown in Fig. 6 because moving the seat bottom frame 34 in the forward direction (i.e., to the left in Fig. 4) by operation of a motor would not permit the seat back frame 24 to pivot forward in the intended manner. The reason this is so is because of the arrangement of the link 50 and the positioning of the pin 57 in the slot 54 of the link 50. From the position shown in Fig. 4, if one were to move the seat bottom frame 34 in the forward direction by a motor-operated drive unit, the seat

back frame 24 would not be able to pivot forwardly and downwardly towards the folded down position as intended by *Schaefer et al.* Rather, the seat back frame 24 would tend to pivot in the clockwise direction away from the folded position.

Further, as explained previously, the seat apparatus disclosed in *Schaefer et al.* is specifically configured so that upon applying a forward force to the seat back frame 24, the seat moves to the folded position shown in Fig. 6. Thus, one would not have been motivated to apply a motor-operated drive unit to move the seat bottom frame 34 between the seating position and the stowed position because *Schaefer et al.* seeks a seat construction that allows the seat to move from the seated position to the folded position by applying a force to the seat back frame 24.

Examiner Garrett indicated during the interview that it would not have been obvious to apply a motor-operated drive unit to drive a link mechanism and move the seat bottom frame 34 in *Schaefer et al.* between a seating position and a stowed position as recited in independent Claim 13. Accordingly, withdrawal of the rejection of independent Claim 13 is respectfully requested.

Independent Claim 2 defines that the vehicle seat assembly comprises a seatback, a seat cushion, a four-link mechanism supporting the seat cushion and a drive unit that drives the four-link mechanism and moves the seat cushion between a seating position and a stowed position, wherein when the seat cushion is moved between the seating position and the stowed position, support of the seat cushion is maintained by operation of the four-link mechanism and the drive unit. Claim 2 also recites the control unit that operates the drive unit and further defines that the drive unit includes a first drive unit for moving the seat cushion and a second drive unit for

moving the seatback, with the first and second drive units operating in association with each other for simultaneously operating the seat cushion and the seatback.

The Official Action takes the position that the second end 48 of the front leg 44 supporting the seat bottom frame 34 in *Schaefer et al.* corresponds to the claimed first drive unit while the striker 42 corresponds to the claimed second drive unit. During the interview, Examiner Garrett further explained that the language in independent Claim 2 defining the first and second drive units (as well as the control unit) could be broadly interpreted to read on various portions of the seat apparatus disclosed in *Schaefer et al.* To better define the way in which the first and second drive units of the claimed vehicle seat assembly distinguish over the noted portions of the seat apparatus disclosed in *Schaefer et al.*, Claim 2 is amended to recite that the first and second drive units are electrically connected to the control unit. This is illustrated in Fig. 4 of the present application and is described in paragraph [0019] of the present application. Quite clearly, the end 48 of the front leg 44 and the striker 42 in *Schaefer et al.* are not electrically connected to a control unit and thus cannot be said to correspond to the claimed first and second drive units recited in independent Claim 2. Accordingly, withdrawal of the rejection of independent Claim 2 is respectfully requested.

Claims 4-8 and 14-20 define additional distinguishing characteristics associated with the claimed seat assembly. These dependent claims are allowable at least by virtue of their dependence from allowable independent claims. Thus, a detailed discussion of additional distinguishing characteristics recited in these dependent claims is not set forth at this time.

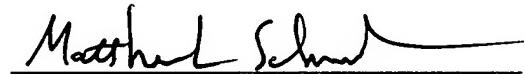
Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 18, 2006

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